

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4688
OFFERED BY MRS. CAROLYN B. MALONEY OF
NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Federal Agency Customer Experience Act”.

4 SEC. 2. FINDINGS; SENSE OF CONGRESS.

5 (a) FINDINGS.—Congress finds that—

6 (1) the Federal Government serves the people
7 of the United States and should seek to continually
8 improve public services provided by the Federal Government based on customer feedback;

10 (2) the people of the United States deserve a
11 Federal Government that provides efficient, effective,
12 equitable, and high-quality services and customer experiences across multiple channels;

14 (3) many agencies, offices, programs, and Federal employees provide excellent customer experiences to individuals, but many parts of the Federal
16 Government still fall short on delivering the cus-

1 tomer experience that individuals have come to ex-
2 pect from the private sector;

3 (4) according to the 2020 American Customer
4 Satisfaction Index, the Federal Government ranks
5 among the bottom of all industries in the United
6 States in customer satisfaction;

7 (5) providing an equitable, reliable, transparent,
8 and responsive customer experience to individuals
9 improves the confidence of the people of the United
10 States in their Government and helps agencies
11 achieve greater impact and fulfill their missions; and

12 (6) improving service to individuals requires
13 agencies to work across organizational boundaries,
14 leverage technology, collect and share standardized
15 data, and develop customer-centered mindsets and
16 experience strategies.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) all agencies should strive to provide a high-
20 quality, courteous, effective, and efficient customer
21 experience to the people of the United States and
22 seek to measure, collect, report, and use metrics re-
23 lating to the experience of individuals interacting
24 with agencies to continually improve the customer
25 experience of the people of the United States; and

1 (2) adequate Federal funding is needed to en-
2 sure agency staffing levels that can provide the pub-
3 lic with an improved customer experience.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) ADMINISTRATOR.—The term “Adminis-
7 trator” means the Administrator of General Serv-
8 ices.

9 (2) AGENCY.—The term “agency” has the
10 meaning given the term in section 3502 of title 44,
11 United States Code.

12 (3) COVERED AGENCY.—The term “covered
13 agency” means an agency or component of an agen-
14 cy that is required by the Director to collect vol-
15 untary customer experience feedback for purposes of
16 section 5, based on an assessment of the components
17 and programs of the agency with the highest impact
18 on or number of interactions with individuals or en-
19 tities.

20 (4) DIRECTOR.—The term “Director” means
21 the Director of the Office of Management and Budg-
22 et.

23 (5) VOLUNTARY CUSTOMER EXPERIENCE FEED-
24 BACK.—The term “voluntary customer experience
25 feedback” means the submission of information, an

1 opinion, or a concern to an agency by an individual
2 or entity that—

3 (A) is voluntarily made by the individual or
4 entity; and

5 (B) relates to—

6 (i) a particular service provided to the
7 individual or entity by the agency; or

8 (ii) an interaction of the individual or
9 entity with the agency.

10 **SEC. 4. GUIDELINES FOR VOLUNTARY CUSTOMER EXPERI-**
11 **ENCE FEEDBACK.**

12 Each agency that solicits voluntary customer experi-
13 ence feedback shall ensure that—

14 (1) individuals and entities providing responses
15 to the solicitation of voluntary customer experience
16 feedback have the option to remain anonymous;

17 (2) individuals and entities that decline to par-
18 ticipate in the solicitation of voluntary customer ex-
19 perience feedback are not treated differently by the
20 agency for purposes of providing services or informa-
21 tion;

22 (3) the solicitation includes—

23 (A) the fewest number of questions as is
24 practicable; and

25 (B) not more than 10 questions;

1 (4) the voluntary nature of the solicitation is
2 clear;

3 (5) the proposed solicitation of voluntary cus-
4 tomer experience feedback will contribute to im-
5 proved customer experience;

6 (6) solicitations of voluntary customer experi-
7 ence feedback are limited to 1 solicitation per inter-
8 action with an individual or entity;

9 (7) to the extent practicable, the solicitation of
10 voluntary customer experience feedback is made at
11 the point of service with an individual or entity;

12 (8) instruments for collecting voluntary cus-
13 tomer experience feedback are accessible to individ-
14 uals with disabilities in accordance with section 508
15 of the Rehabilitation Act of 1973 (29 U.S.C. 794d);
16 and

17 (9) internal agency data governance policies re-
18 main in effect with respect to the collection of vol-
19 untary customer experience feedback from individ-
20 uals and entities.

21 **SEC. 5. CUSTOMER EXPERIENCE DATA COLLECTION.**

22 (a) COLLECTION OF RESPONSES.—The head of each
23 covered agency, assisted by and in coordination with the
24 senior accountable official for customer experience of the
25 covered agency, shall collect voluntary customer experience

1 feedback with respect to services of or interactions with
2 the covered agency.

3 (b) CONTENT OF QUESTIONS.—

4 (1) STANDARDIZED QUESTIONS.—The Director,
5 in coordination with the Administrator, shall develop
6 a set of standardized questions for use by covered
7 agencies in collecting voluntary customer experience
8 feedback under this section that address—

9 (A) overall satisfaction of individuals or
10 entities with the specific interaction or service
11 received;

12 (B) the extent to which individuals or enti-
13 ties were able to accomplish the intended task
14 or purpose of those individuals or entities;

15 (C) whether an individual or entity was
16 treated with respect and professionalism;

17 (D) whether an individual or entity be-
18 lieves that the individual or entity was served in
19 a timely manner; and

20 (E) any additional metrics determined by
21 the Director, in coordination with the Adminis-
22 trator.

23 (2) ADDITIONAL QUESTIONS.—In addition to
24 the questions developed under paragraph (1), the
25 senior accountable official for customer experience of

1 a covered agency may develop questions relevant to
2 the specific operations or programs of the covered
3 agency.

4 (c) ADDITIONAL REQUIREMENTS.—To the extent
5 practicable—

6 (1) each covered agency shall collect voluntary
7 customer experience feedback across every platform
8 or channel through which the covered agency inter-
9 acts with individuals or other entities to deliver in-
10 formation or services; and

11 (2) voluntary customer experience feedback col-
12 lected under this section shall be tied to specific
13 transactions or interactions with customers of the
14 covered agency.

15 (d) EXEMPTION FROM PUBLIC NOTICE AND COM-
16 MENT.—The requirements of section 3506(c)(2)(A) and
17 subparagraphs (B) and (D) of subsection (a)(1) and sub-
18 section (b) of section 3507 of title 44, United States Code,
19 shall not apply to the collection of voluntary customer ex-
20 perience feedback by an agency that meets the require-
21 ments of this Act.

22 (e) REPORT.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the date of enactment of this Act and not less fre-
25 quently than quarterly thereafter, each covered

1 agency shall submit to the Director, in a manner de-
2 termined by the Director, an aggregated report on
3 each solicitation of voluntary customer experience
4 feedback from individuals and entities conducted by
5 the covered agency, which shall include—

6 (A) the intended purpose of the sollicita-
7 tion;

8 (B) the appropriate point of contact within
9 the covered agency for the solicitation;

10 (C) the questions or survey instrument
11 submitted to members of the public as part of
12 the solicitation;

13 (D) a description of how the covered agen-
14 cy uses the voluntary customer experience feed-
15 back from the solicitation to improve the cus-
16 tomer experience of the covered agency; and

17 (E) the results of the solicitation, includ-
18 ing—

19 (i) the responses collected;

20 (ii) the total number of survey re-
21 sponses; and

22 (iii) the rate of response for the sollici-
23 tation.

24 (2) CENTRALIZED WEBSITE.—The Director
25 shall—

1 (A) include and maintain on a publicly
2 available website the information provided by
3 covered agencies under paragraph (1); and

4 (B) for the purpose of subparagraph (A),
5 establish a website or make use of an existing
6 website, such as the website required under sec-
7 tion 1122 of title 31, United States Code.

8 **SEC. 6. CUSTOMER EXPERIENCE REPORT.**

9 (a) IN GENERAL.—Not later than 450 days after the
10 date on which all covered agencies have submitted the first
11 reports to the Director required under section 5(e)(1), and
12 every 2 years thereafter until the date that is 10 years
13 after such date, the Comptroller General of the United
14 States shall make publicly available and submit to the
15 Committee on Homeland Security and Governmental Af-
16 fairs of the Senate and the Committee on Oversight and
17 Reform of the House of Representatives a report assessing
18 the data collected and reported by the covered agencies.

19 (b) CONTENTS.—The report required under sub-
20 section (a) shall include—

21 (1) a summary of the information required to
22 be submitted by covered agencies under section
23 5(e)(1);

24 (2) a description of how each covered agency
25 used the voluntary customer experience feedback re-

1 received by the covered agency to improve the cus-
2 tomer experience of the covered agency; and

3 (3) an assessment of the quality of the data col-
4 lected under this Act and, if applicable, rec-
5 ommendations to improve that quality.

6 **SEC. 7. RESTRICTION ON USE OF INFORMATION.**

7 No information collected pursuant to this Act may
8 be used in any appraisal of the job performance of a Fed-
9 eral employee under chapter 43 of title 5, United States
10 Code, or any other provision of law.

